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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : Sprunck, et al.
Serial No. : 09/899,595
Filed : July 5, 2001
For : PROMOTERS FOR GENE EXPRESSION IN
CARYOPSES OF PLANTS
Examiner: : R. Kallis
Group Art Unit : 1638

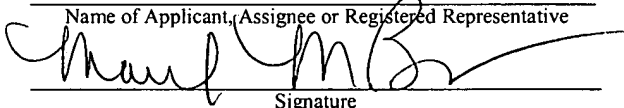
745 Fifth Avenue, New York, NY 10151

EXPEDITED PROCEDURE
RESPONSE AFTER FINAL ACTION
UNDER 37 C.F.R. 1.116

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop AF P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Marilyn Matthes Brogan, Reg. No. 31,223

Name of Applicant, Assignee or Registered Representative



Signature

March 29, 2004

Date of Signature

NOTICE OF APPEAL

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Arlington, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the final Office Action dated October 2, 2003, rejecting claims 1-12 and 15. A check in the amount of \$330.00 is enclosed in payment of the appeal fee required by 35 U.S.C. §41(a)(6) and 37 C.F.R. §1.17(e). Please charge any additional payment or credit any overpayment to Deposit Account No. 50-0320.

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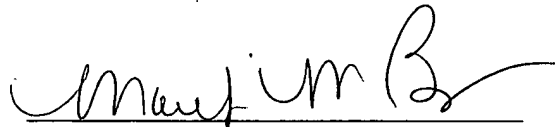
330.00 OP

This Notice is being filed in triplicate, together with a Petition for a three-month extension of time, and a Rule 116 Amendment.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By:

A handwritten signature in cursive script, appearing to read 'Marilyn Matthes Brogan', written over a horizontal line.

Marilyn Matthes Brogan
Reg. No.: 31,223

Anne-Marie C. Yvon, Ph.D.
Reg. No.: 52,390
(212) 588-0800